

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EESAM ARABBO,

Plaintiff,

Case No. 13-cv-11331

v.

HONORABLE VICTORIA A. ROBERTS

CITY OF BURTON ET AL.,

Defendants.

\_\_\_\_\_ /

**ORDER**

**(1) GRANTING DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT (ECF NOS.**

**67, 68, 69, 70, and 71) ; AND**

**(2) DECLINING TO EXERCISE JURISDICTION OVER THE MICHIGAN STATE**

**CLAIM**

Before the Court are five fully-briefed Motions for Summary Judgment that were separately filed by each Defendant. On May 5, 2016, the Court held a hearing on the Motions. Appearing were: James McGinnis and Lance Mason on behalf of Plaintiff Eesam Arabbo, and Michael Wachsberg on behalf of Defendants City of Burton, Paula Zelenko, Stephen Heffner, Thomas Martinbianco, and Michael Joliet.

For the reasons stated on the record, the Court **GRANTED** summary judgment to all Defendants over Arabbo's Fourteenth Amendment Equal Protection Clause claims brought pursuant to 42 U.S.C. § 1983. The remaining claim was brought pursuant to Michigan state statute, M.C.L. 37.2301 *et seq.*, the Elliott-Larsen Civil Rights Act. Because the federal claims that were the sole basis of the Court's original jurisdiction

have been dismissed, the Court declines to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c)(3) to resolve the previously joined state claim. The Elliott-Larsen claim is **DISMISSED** without prejudice; should Arabbo seek to continue that claim, it must be brought in a Michigan state court.

**IT IS ORDERED.**

S/Victoria A. Roberts  
United States District Judge

Dated: May 6, 2016